

1 MARK D. FOWLER, Bar No. 124235
2 mark.fowler@dlapiper.com
3 DAVID ALBERTI, Bar No. 220625
4 david.alberti@dlapiper.com
5 CHRISTINE K. CORBETT, Bar No. 209128
6 christine.corbett@dlapiper.com
7 YAKOV M. ZOLOTOREV, Bar No. 224260
8 yakov.zolotarev@dlapiper.com
9 CARRIE L. WILLIAMSON, Bar No. 230873
10 carrie.williamson@dlapiper.com

11 DLA PIPER US LLP
12 2000 University Avenue
13 East Palo Alto, CA 94303-2214
14 Tel: 650.833.2000
15 Fax: 650.833.2001

16 Attorneys for
17 Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA
14
15 SAN FRANCISCO DIVISION

16 NETWORK APPLIANCE, INC.

17 Plaintiff/Counterdefendant,

18 v.

19 SUN MICROSYSTEMS, INC.,

20 Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL (JCS); C-07-
05488 EDL (JCS); C-08-1641 EDL (JCS)

**~~PROPOSED~~ ORDER AND
STIPULATION REGARDING
EXTENSION TO EXCHANGE
SETTLEMENT PROPOSALS**

21 Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through
22 their undersigned attorneys of record, hereby stipulate and agree as follows:

23 (1) No later than April 29, 2008, Sun and NetApp shall each make a settlement
24 proposal, in writing, with a copy to Judge Spero;

25 (2) No later than May 6, 2008, Sun and NetApp shall each respond and make a
26 counter-proposal, in writing, with a copy to Judge Spero;

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(3) All other dates set forth in the March 3, 2008 and April 4, 2008 Notices of Settlement Conference and Settlement Conference Orders remain unchanged.

Dated: April 24, 2008

DLA PIPER US LLP

/s/ Christine K. Corbett

MARK D. FOWLER
DAVID ALBERTI
CHRISTINE K. CORBETT
YAKOV M. ZOLOTOREV
CARRIE L. WILLIAMSON
Attorneys for
Sun Microsystems, Inc.

Dated: April 24, 2008

/s/ Jill J. Ho

Matthew D. Powers
Edward R. Reines
Jeffrey G. Homrig
Jill J. Ho
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Attorneys for
Network Appliance, Inc.

IT IS SO ORDERED

Dated: April 28, 2008

